



07/31/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-64260-5/RMS/AMS

Anticipated Classification of this Application:

Class: Subclass:

Prior Application

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER **EL758643396US**DATE OF DEPOSIT **July 31, 2001**

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME **DARRYL KRINER**

SIGNED

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Garry P. NOLAN (San Francisco, California); S. Michael ROTHENBERG (Palo Alto, California)

(Names of ALL Applicants)

for Methods for Screening for Transdominant Intracellular Effector Peptides and RNA Molecules

(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application U.S.S.N. 09/727,715, filed November 28, 2000, pending, which is a continuation of U.S.S.N. 08/963,368, filed November 3, 1997, pending, which is a divisional of U.S.S.N. 08/789,333, now U.S. Patent No. 6,153,380, and a continuation of U.S.S.N. 08/787,738, pending, both filed January 23, 1997, which are both continuations-in-part of U.S.S.N. 08/589,109, pending and U.S.S.N. 08/589,911, abandoned, both filed January 23, 1996.

- (a) ☒ Enclosed is a new application.

(b) ☐ Enclosed is a continuation-in-part application.

(c) ☐ Enclosed is a copy of the prior application.
- (a) ☐ Enclosed is a new Declaration.

(b) ☐ Enclosed is a copy of the prior Declaration as originally filed.
- (a) ☒ Applicant claims Small Entity status under 37 CFR 1.27.

(b) ☐ A Small Entity Affidavit is of record in the prior application.
- ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$710
TOTAL CLAIMS	46 - 20 =	26	× 9 =	\$234	× 18 =	\$
INDEP CLAIMS	4 - 3 =	1	× 40 =	\$40	× 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED <u> X </u> yes <u> </u> no			+135 =	\$135	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$764	TOTAL	\$

5. ☐ The Commissioner is hereby NOT authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. _____).

6. ☒ Our check in the amount of \$ 764.00 is enclosed.
☐ The filing fee is NOT being submitted with this transmittal letter.

7. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☐ Amend the specification by inserting before the first line the sentence:
--This is a ☐ continuation ☐ divisional ☐ continuation-in-part
of application Serial No. _____ filed _____.--

9. (a) ☐ Informal drawings are enclosed.
(b) ☒ Formal drawings are enclosed (4 Sheets).

10. (a) ☒ Priority of application U.S.S.N. 09/727,715, filed November 28, 2000, pending, which is a continuation of U.S.S.N. 08/963,368, filed November 3, 1997, pending, which is a divisional of U.S.S.N. 08/789,333, now U.S. Patent No. 6,153,380, and a continuation of U.S.S.N. 08/787,738, pending, both filed January 23, 1997, which are both continuations-in-part of U.S.S.N. 08/589,109, pending and U.S.S.N. 08/589,911, abandoned, both filed January 23, 1996., all filed in the United States of America, is claimed under 35 U.S.C. 119/120.
(b) ☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.

11. ☐ The prior application is assigned of record to _____

12. ☐ The power of attorney in the prior application is to:

Name: _____
Address: _____

- (a) ☐ The power appears in the original papers in the prior application.
(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
(c) ☐ A new power has been executed and is enclosed.
(d) ☐ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

13. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

14. ☐ I hereby verify that the attached papers are a true duplicate of prior application Serial No. _____ as originally filed on _____.

Date: July 31, 2001

Signature: Robin M. Silva Reg. No. 97,086, for
Robin M. Silva, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
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☒ Attorney or agent of record

☐ Filed under Section 1.34(a)